THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.24777 of 2006

DATED 11.12.2006

Between:

V.V.S.N.Murthy. .. PETITIONER

versus

The Vice Chairman, Puttaparthi Urban Development Authority, Puttaparthi, Anantapur District. .. RESPONDENT

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.24777 of 2006

ORDER:

Heard Sri Nageswar Rao Palle, learned counsel representing the writ petitioner. This Court ordered Notice Before Admission on 29.11.2006 and it is stated that the respondent is served.

2. The Writ Petition is filed for a Writ of Mandamus to declare the action of the respondent in not taking any action on the representation/complaint dated 12.10.2006 to inspect and stop the illegal construction being made in the plot in survey No.291/1/H, situated near Hanuman Temple, Puttaparthi Panchayati, Puttaparthy, Anantapur District as illegal, arbitrary and consequently direct the respondent to forthwith act on the said representation/complaint dated 12.10.2006 and pass such other suitable orders.

3. The writ petitioner is aggrieved of the inaction on the part of the respondent in taking action on the representation/complaint given by the petitioner on 12.10.2006 in regard to certain illegal constructions. It is stated that the petitioner purchased an open site admeasuring 123.09 square meters in S.No.291-E1 situated near Hanuman Temple, Puttaparthi Panchayathi, Puttaparthy, Anantapur District from its lawful

owner by virtue of a registered sale deed bearing document No.182/2004, dated 4.2.2004. It is also stated that the petitioner intended to construct a residential house and accordingly the petitioner obtained requisite permission from the respondent duly paying the requisite fee, and the respondent after careful scrutiny of the application submitted by the petitioner accorded permission vide BA No.96/05/BA, dated 2.12.2005 for construction of grounds + two upper floors. It is stated that in pursuance of the said permission, the petitioner has been making construction strictly adhering to the sanctioned plan. It is also further stated that one A.K. Kuppuswamy started constructing a multi-storied complex opposite to the site of the petitioner bearing S.No.291/1/H and he had already constructed two floors and proceeding further to construct some more floor. It is stated that as per the existing Rules of the S.U.D.A., no one is permitted to construct more than two floors, but contrary to the Rules of S.U.D.A., the said A.K. Kuppuswamy is going ahead with the construction without the required permission and approval from the respondent. Several other factual details are narrated and the said A.K. Kuppuswamy is not shown as a party in the Writ Petition.

4. In the facts and circumstances, this Court is of the considered opinion that the Writ Petition be disposed of directing the respondent to consider the representation/complaint of the petitioner dated 12.10.2006 in accordance with law after giving opportunity not to only to the petitioner, but also to the said A.K. Kuppuswamy and any other aggrieved persons, who may be aggrieved of the action, if at all to be initiated in accordance with the said representation, and the respondent is directed to dispose of the said representation/complaint of the petitioner as expeditiously as possible.

5. With the direction indicated above, the Writ Petition is disposed of. No costs.

11.12.2006

SSR